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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

VORNELIUS J. PHILLIPS,

Petitioner,

v.

BRIAN WILLIAMS, et al.,

Respondents.

Case No. 2:18-cv-00933-RFB-NJK

ORDER

Petitioner Vornelius J. has submitted a *pro se* petition for writ of habeas corpus, pursuant to 28 U.S.C. § 2254 (ECF No. 1-1). However, petitioner has failed to submit an application to proceed *in forma pauperis*, with the requisite financial certificate and inmate account statements, or pay the filing fee. Accordingly, this matter has not been properly commenced. 28 U.S.C. § 1915(a)(2) and Local Rule LSR1-2.

It is unclear whether a dismissal without prejudice would materially affect a later analysis of timeliness. Accordingly, Phillips shall have sixty (60) days from the date of this order to either pay the \$5.00 filing fee or submit a completed application to proceed *in forma pauperis* on the proper form. Failure to do so may result in the dismissal of this action without prejudice.

**IT IS THEREFORE ORDERED** that within **sixty (60) days** of the date of this order petitioner shall submit either the \$5.00 filing fee or an application to proceed *in forma pauperis*.

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**IT IS FURTHER ORDERED** that failure to do so may result in the dismissal of this action without prejudice.

**IT IS FURTHER ORDERED** that the Clerk shall send to petitioner one copy of the form for the application to proceed *in forma pauperis* by a prisoner, along with the instructions to complete the form.

DATED: 7 September 2018.

  
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RICHARD F. BOULWARE, II  
UNITED STATES DISTRICT JUDGE